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ABSTRACT

This Virginia Assembly document focuses on the concept of community as defined by the Founding Fathers of the U.S. Constitution. The final report identifies and discusses problems related to the modern quest for community in a national republic. Recommendations by the Assembly are offered in eight areas: (1) civic responsibility; (2) corporate citizenship; (3) mobility; (4) community planning; (5) local responsibility; (6) social diversity; (7) education and job opportunities; and (8) media concentration. The keynote address, "Federalism's Newest Challenge: Community Rights, Responsibilities, Self-Governance" by Neal B. Peirce discusses: (1) the role of state governments in assuming programs and responsibilities where the federal government's support ends; (2) the cooperation within metropolitan communities that is financially advantageous for the communities involved; (3) the efforts by local communities to encourage participation between municipal government and private industry and to promote citizens' participation within the community; and (4) some questions to ask about citizen participation and community leadership in order to determine a healthy civic life. This document also contains the titles and participants of the three panel presentations and a list of the Assembly's participants. (DJC)

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1988 Virginia Assembly

on
The Quest for Community in a National Republic: A Bicentennial Reappraisal

Final Report and Keynote Address

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Held April 8–10, 1988
Richmond, Virginia

Sponsored by
University of Virginia Center for Public Service
Virginia Commission on the Bicentennial of the United States Constitution
Virginia Polytechnic Institute and State University
Virginia State University

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Foreword

The Center for Public Service is pleased to publish this report from the 1988 Virginia Assembly on *The Quest for Community in a National Republic: A Bicentennial Appraisal,* which met in Richmond on April 8–10, 1988.

The Virginia Assembly is modeled after the American Assembly, established by Dwight D. Eisenhower in 1950 while he was president of Columbia University. Since 1982 the Virginia Assembly has been inviting selected opinion leaders from many fields to meet together and discuss some issue of public policy in an objective and nonpartisan way.

In past years the Virginia Assembly has focused on land use, adult corrections, public education, and the future of the environment. The topic of the 1988 Assembly was selected because of its special significance in the year of the 200th anniversary of Virginia's ratification of the U.S. Constitution.

The Virginia Assembly is a nonpartisan educational activity sponsored by the Center for Public Service at the University of Virginia and the Virginia Cooperative Extension Service of VPI & SU and Virginia State University. The 1988 Assembly was also sponsored by the Virginia Commission on the Bicentennial of the United States Constitution which handled much of the organization and planning for the event. The Assembly was funded in part by a grant from the Virginia Foundation for the Humanities and Public Policy.

This report represents the work of many people. Special appreciation goes to Timothy J. O'Rourke, staff director of the Virginia Bicentennial Commission, and his staff members Tracy Warren, Billie Easton, and Jane Beard. Others who deserve special recognition are J. Paxton Marshall of the Virginia Extension Service and Sandra H. Wiley of the Center for Public Service. Sandy Lewis of the Center for Public Service skillfully typed the report, and Barry Jackson, also a Center staff member, helped with the design.

The views and opinions expressed in this report are those of the participants in the 1988 Virginia Assembly. Neither the Assembly's sponsors nor its underwriters have taken any stand on the views expressed in the statement.

James A. (Dolph) Norton
Director, Center for Public Service
University of Virginia

Charlottesville, Virginia
August 1, 1988

About the Virginia Assembly

The 1988 Virginia Assembly on Public Policy met on April 8–10, 1988, to discuss *The Quest for Community in a National Republic: A Bicentennial Reappraisal.* The Assembly included some sixty-five distinguished Virginians. These participants included state and local elected officials, governmental executives, business leaders, attorneys, civil rights activists, academicians, and private citizens; they came from all regions of the Commonwealth and from rural areas, suburbs, and large cities.

The central purpose of the Assembly was to offer this diverse group the opportunity to discuss a perennial issue of governance—the creation and preservation of community. Indeed, the Founding generation was divided on the issue of whether the spirit of community could infuse a territory and population as large as the United States. With a view to the past—in the year of the 200th anniversary of Virginia's ratification of the Constitution—and with an eye on the future, the Assembly discussed the meaning of community, in order to identify areas of agreement among the participants and to understand more fully the points of difference. The following statement represents the results of these discussions. The Assembly's findings and recommendations are addressed to all Virginians concerned about the future of constitutional governance.

In this regard, the discussions of the Assembly, together with its final report, are very much in the spirit of the Virginia Declaration of Rights, penned by George Mason in 1776 but still a part of the Virginia Constitution. The Declaration reminds us "That no free government, nor the blessings of liberty, can be preserved to any people, but ... by frequent recurrence to fundamental principles ... [and] that free government rests, as does all progress, upon the broadest possible diffusion of knowledge...."[Article 1, Sec. 15]

Under the procedures of the Assembly, no participant was asked to sign the final report. This report is the collective effort of the entire

Assembly; it should not be assumed that any or all individuals subscribed to particular parts of the report. Moreover, participants at the Assembly spoke for themselves, not as representatives of any institution, organization, or agency with which they might be affiliated.

Prior to meeting in Richmond, participants read a series of articles offering various perspectives on the theme of the Assembly. On the opening day of the Assembly, Professor A. E. Dick Howard, chairman of the Virginia Commission on the Bicentennial of the United States Constitution, addressed the meaning of community within the context of American constitutional development. Following Professor Howard's address, a series of three panels, comprised of leading social scientists and constitutional scholars, looked at three overarching questions of community: (1) How Did the Founders View the Problem of Community? (2) Do People Have the Right to Define Their Community? (3) Which Communities Are Entitled to Political Representation? A list of the panelists accompanies this report.

On the morning of the second day, columnist Neal R. Peirce, coauthor of *The Book of America: Inside Fifty States Today*, delivered the Assembly's keynote address, "Federalism's Newest Challenge: Community Rights, Responsibilities, Self–Governance." What then followed was one and a half days of intense debate and discussion among the Assembly participants; the debate culminated in this final report.

For information about the 1988 Virginia Assembly, please contact Professor Timothy G. O'Rourke, Center for Public Service, 207 Minor Hall, University of Virginia, Charlottesville, Virginia, 22903 (telephone 804/924–3396).

Final Report

Introduction

Crime, homelessness, illiteracy, persistent poverty, suburban sprawl—these problems, and many others as well, are often blamed on the decline of community. In turn, it is commonly argued that the solution to such problems depends on the creation or restoration of community institutions or community spirit. The frequency with which such arguments are made suggests that, indeed, 'community' is a compelling idea in contemporary politics.

From a constitutional perspective, some see an urgent need for a reinvigoration of local institutions. Wilson Carey McWilliams contends:

> Democratic citizenship requires dignity. Neither dignity nor citizenship is at home in an unstable society or a large state. Whatever possibilities we have for democratic life require us to turn government's resources to the task of protecting and reconstructing local community and private order. ["Democracy and the Citizen: Community, Dignity, and the Crisis of Contemporary Politics in America," in Robert A. Goldwin and William A. Schambra, eds., *How Democratic Is the Constitution?*, (Washington: American Enterprise Institute, 1980), pp. 100–111.]

Others, however, regard such proposals for decentralization as a threat to a different notion of community, one implicit in the language of "We the People." Samuel H. Beer contends for "a national theory, which envisions one people ... asserting, through conflict and in diversity, our unity of origin and destiny." The challenge, says Beer, is

> to create within a liberal, democratic framework a society in which vast numbers of both black and white people live in free and equal intercourse—political, economic, and social.... The national idea will let us be satisfied with nothing less. ["The Idea of a Nation," in Goldwin and Schambra, *How Federal Is the Constitution?* pp. 120–21.]

Defining Community

As the preceding suggests, 'community' is a word of marvelous utility. Community can refer to a hamlet or town, to a region (e.g., Northern Virginia), to a state, to the nation as a whole, and even to the world (e.g., the global community). But use of the term is hardly confined to matters of political jurisdiction or geography. We speak as well of 'the black community,' 'the business community,' 'the scientific community'—and in these contexts, community suggests, beyond a sense of place, a feeling of common identity or shared values. As one Assembly member put it:

> A community is any group of people who hold a shared cultural, linguistic, and historical heritage, or agreement with respect to certain overarching ideas ... [and] who subscribe to essentially common values with respect to such things as the worth of work, education, child rearing, and the dignity of the individual before society.... It is also essential that [the members of a community] share a greater or lesser physical and personal participation in common cultural and political rituals through which these values are communicated, and taught to the young....

Even though 'community' implies commonality, various Assembly attendees observed that communities, however defined, are enriched by diversity. One noted that people in a community "share similar interests, but ... respect the interests of others;" another described community in terms of "diversity with commonality."

Given the expansive meaning of community, it is apparent, as participants noted, that a person "can be a part of many different communities," "there are wheels within wheels," and "community can exist at several overlapping levels, from the neighborhood to the nation."

But the notion of community stretches beyond mere description of what is. Community is a prescriptive word—one that evokes a sense of possibility and purpose, of what ought to be. Like 'liberty' and 'justice,' 'community' is a value to be pursued. As one Assembly participant asserted, "The definition of community must include the systematic generation of spirit and law that permits the full integration of all members, regardless of race, religion, or national origin, into all aspects of social and political life." Another defined community as a group of "persons who share a common way of life with respect to the most fundamental things [such as] ... what is right and proper with respect to what each person or group is due."

While no two people may define 'community' in exactly the same way, it is clear that community is an important political value. Indeed, as Robert A. Nisbet has argued, the quest for community in the political realm is a central preoccupation of our time.

The Founders

The quest for community, however, also commanded the attention of the Founding generation and played a central role in the debate over ratification of the Constitution. As Herbert J. Storing has pointed out, the Anti-federalists' concern with the preservation of 'states' rights' manifested their general belief that "free, republican governments could extend over a relatively small territory with a homogeneous population." [*What the Anti-Federalists Were for* (University of Chicago Press, 1981), p. 15.] To create a grand national republic under the Constitution would challenge three fundamental assumptions of the Anti-federalists, who argued that: "[o]nly a small republic can enjoy the voluntary attachment of the people to the government," "can secure a genuine responsibility of the government to the people," and "can form the kind of citizens who will maintain republican government." (Storing, p. 16) In essence, the Anti-federalists claimed that it was impossible to contemplate the formation of true political community on a national scale.

In *Federalist #10*, however, Madison asserted that a national republic would be superior in many respects to a small republic: in an expansive, pluralistic republic, the very diversity of interests would militate against the formation of a majority faction adverse to particular rights and liberties. But the advantages of a national republic went beyond mere practical politics; they extended to community. Thus, in

his Farewell Address, President Washington instructed his fellow citizens that: "The name of American, which belongs to you, in your national capacity, must always exalt the just pride of Patriotism, more than any appellation derived from local discriminations."

Modern Concerns

Modern conflicts reflect the gamut of concerns that underlie the original debate between Federalists and Anti-federalists on the issue of 'community.' For instance, the Reagan administration professedly has sought to invigorate community life at the state and local levels, amid complaints from its critics that it is abandoning the values of the national community. In the domain of moral and social issues, the question of community has arisen in a different guise, as Nathan Glazer has observed:

> Conservative communities in the United States now feel threatened as a result of the expansion of civil rights and civil liberties.... Liberal communities now feel threatened by the mobilization of the traditionalists. On one side, the expansion of rights may be seen as giving the greatest possible freedom to the individual—and in that freedom individuals can create the subcommunities they desire, whether traditional or radical, conventional or unconventional. On the other side, this expansion may be seen as the arrogant extension of values and behavior that threaten traditional communities so that they cannot protect their schools and neighborhoods from intrusions they find offensive, and that prevent them from providing the environment they desire for their children. ["The Constitution and Religious Diversity," *The Public Interest*, No. 86 (Winter 1987), p. 20.]

As this brief review of modern controversies makes clear, the quest for community is a central concern of modern debate, just as it was in the era of our nation's founding. It is a concern of constitutional dimensions, as expressed both in the United States Constitution's commitment to "a more perfect Union" and in the Virginia Constitution's claim "That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community."

Final Report

Recommendations

The participants at the 1988 Virginia Assembly identified and discussed numerous problems related to the modern quest for community in a national republic. Realizing that they could not deal with all the issues identified, participants discussed but did not offer recommendations on issues such as crime and drug abuse. Recommendations focused on the following eight areas (which are not listed in any order of priority):

- ☆ Civic Responsibility
- ☆ Corporate Citizenship
- ☆ Mobility
- ☆ Community Planning and Growth Management
- ☆ Local Responsibility
- ☆ Social Diversity
- ☆ Education and Job Opportunities
- ☆ Media Concentration

This statement presents the 1988 Assembly's recommendations in each of these areas.

Civic Responsibility

Assembly participants have divergent definitions of community. However, they generally agree on what strengthens community and what weakens it. A strong community is one in which the members identify with the community as a whole; the stronger the bonds of identity, the stronger the community. For a community to thrive, these bonds must be strong enough to contain divergent interests among the members.

A strong community has widespread civic participation and a shared sense of civic responsibility, while a weak community experiences apathy or indifference among its members. In addition, even though individualism is recognized as fundamentally important, its irresponsible exercise frequently weakens a community, by insisting on individual rights without a corresponding acceptance of individual responsibilities.

This 1988 Virginia Assembly therefore recommends that:

- ☆ A greater community awareness of and respect for community leadership, public service, and the professional status of public servants like police, teachers, and firefighters should be encouraged.

- ☆ The curricula in the public schools should be strengthened to give students more practical exposure to the governmental and political processes, congruent with their basic academic needs.

- ☆ The state should mandate that local school systems place greater emphasis on American and world history, civics education, and the humanities; and local schools should be encouraged to introduce students to democratic values.

- ☆ Local governments should strongly encourage volunteerism by offering space and other resources to volunteer groups, and local governments should avoid undertaking activities that would preempt voluntary ones.

- ☆ The General Assembly should provide for more accessible voter registration.

- ☆ Citizens' forums on public policy issues should be encouraged as a catalyst to communication between and among citizens of divergent but vested interests in the community.

Corporate Citizenship

The scale of decisions made by large corporations affects the present and future health of numerous communities. Yet communities do not have a corresponding say in keeping large corporations accountable. While many large businesses are corporate 'good citizens,' their overall civic performance is uneven. Revitalizing the economic and social bases of many communities will require more sophisticated, joint public/private ventures.

This 1988 Virginia Assembly therefore recommends that:

- ☆ Incentives should be developed for corporations to be involved in community activities (e.g., shared executives).
- ☆ Corporations should be encouraged to provide in-kind services to communities.
- ☆ Corporations should be encouraged to involve the community in major decisions like plant expansions and closings that affect the well–being of the community.

Mobility

Mobility is a fact of modern life. If contemporary economic life is viewed as the 'opportunity society,' then mobility maximizes an individual's freedom, choice, and experience. Mobility brings into the community 'new blood' that helps to overcome parochial divisiveness.

The flow into a community of new residents may create the need for a higher level and different mix of services than the locality can either plan for or support financially. Moreover, the outward flow of people, especially the migration of youth, often deprives a local community of its best and brightest talents.

To reconcile the fact of mobility with the quest for community,

This 1988 Virginia Assembly therefore recommends that:

☆ Public programs should be created to encourage involvement in the community of all its members—regardless of their length of residency in the community.

☆ Communities should administer college scholarship programs that (1) provide for early identification of needy students with academic potential and (2) provide incentives for scholarship recipients after graduation to return to work in the supporting community.

Community Planning and Growth Management

The problem of planning for growth goes to the heart of the idea of community. By planning for growth, a community can either control or fail to control the kind of community it wants to be.

Growth is two–sided: it can revitalize and strengthen a community's economy, or it can strain the existing economic resources of a community. Rapid unplanned growth (urban sprawl) can fragment a community, destroy its sense of the past, or change the quality of life.

Whether growth is helpful or harmful depends on the quality of community planning. Communities need to be able to control growth either when promoting or limiting it. The need for planning, of course, is equally critical for communities confronted not by growth, but by population decline.

Regulation of growth and land use and the delivery of services are inhibited by governmental fragmentation and arbitrary jurisdictional boundaries. Such fragmentation also can lead to the ineffective allocation of resources.

This 1988 Virginia Assembly therefore recommends that:

Planning

☆ The state should provide financial incentives to localities that engage in long–range planning.

- ☆ Citizen participation in planning should be increased by establishing planning councils that are interagency and citizen–based, and by empowering neighborhood civic associations with active responsibility for implementing plans.

- ☆ The capacity of the State Department of Housing and Community Development should be strengthened to provide technical assistance to localities in techniques and approaches to accomplish long–range planning at the local level.

- ☆ The General Assembly should authorize a critical review of the current status (creation and use) of all substate entities (other than cities, counties, and towns) authorized by federal and state law. The objectives are to (1) reduce duplication, fragmentation, and overlap and (2) assure accountability in service delivery of such districts, in procedure and substance, to local elected officials.

- ☆ State and private institutions should fund and conduct research to supply information and analysis on major problems facing Virginia's communities.

- ☆ The General Assembly should provide planning and dispute resolution processes for state and local governments, to manage the balance between growth and the physical and social infrastructure.

- ☆ Localities should realistically assess costs of maintaining and extending the existing infrastructure.

Fragmentation

- ☆ The state should provide incentives, rather than disincentives, for adjacent local political jurisdictions to cooperate with one other.

- ☆ The state should give financial incentives to encourage regional planning and service delivery.

- ☆ Client case–management systems should be used instead of the separate departmentalization by those services provided.

- ☆ State and local agencies should create service districts for improved service delivery and reduce duplication caused by current overlaps in jurisdictional boundaries.

Resources

- ☆ The state should legislate incentives (e.g., tax breaks, startup money, grants) for economic development in underdeveloped communities.

- ☆ The state should fund localities with allocation formulas based on indexes of need, instead of on the basis of population and economic ability.

- ☆ The state should fund basic services for some impoverished localities that cannot afford their provision (e.g., education, water and sewer lines).

Local Responsibility

Communities across the Commonwealth suffer from external pressures, both real and perceived, that threaten or erode local autonomy. State government mandates, federal categorical grant requirements, federal court decisions, and the Dillon Rule may force a community to commit resources to low–priority goals, or to have standards imposed on it. However, sometimes these mandates, requirements, decisions, and standards are necessary because some communities have failed to protect the interests of those not in the majority.

This 1988 Virginia Assembly therefore recommends that:

- ☆ The Dillon Rule should be relaxed and Virginia should move toward Home Rule.

☆ The General Assembly should fully fund its mandates to local government. The General Assembly should enlarge the fiscal authority of counties, cities, and towns to address local needs on a local basis, such as allowing a local option sales tax or a piggyback income tax.

☆ Communities should develop more expertise and capacity to adapt to change at the local level through:
  a. leadership development programs;
  b. venture capital funds;
  c. local foundations; and
  d. full–time economic development specialists.

☆ The General Assembly should delegate more power to local school divisions within the context of basic objectives deemed appropriate for all Virginia students.

Social Diversity

Achievement of community is often threatened by intolerance of religious, ethnic, and cultural diversity. The persistence of social divisions also plagues the development of community. This problem is particularly manifest in the lack of adequate minority representation on local boards, commissions, and authorities, despite significant improvements in recent years.

This 1988 Virginia Assembly therefore recommends that:

☆ Programs in cultural heritage and ethnic studies should be developed for adult education and similar courses should be encouraged in the public schools.

☆ Governments at both the local and state levels should have more minority group and female membership on boards, task forces, commissions, and all other decision–making and problem–solving bodies.

Education and Job Opportunities

Education is potentially a powerful means to promote a balanced understanding of the relation between the individual value of liberty and the civic value of community.

Education, broadly understood, is the core process for teaching the idea of civic responsibility; for overcoming arbitrary barriers of ethnicity and sex; for cultivating tolerance; and for embracing diversity. Education can be an important counterweight to crime and the use of drugs; it can help to alleviate the problems of unequal job opportunities for individuals and inequitable distribution of wealth in society.

This 1988 Virginia Assembly therefore recommends that:

- ☆ Improved job counseling should be made available.
- ☆ Steps should be taken to increase respect for teachers; for example, professionally commensurate pay.
- ☆ The state should continue its efforts to reduce disparities in educational funding.
- ☆ Local leadership development programs should be promoted.
- ☆ The public school curriculum should be strengthened; methodology should be employed that will give practical exposure to government and political processes and provide the opportunity for occupational experience.
- ☆ Methodology should be developed that will encourage civic responsibility and volunteerism.
- ☆ Communities should develop transitional support systems, like day care, health care, and income assistance, to encourage citizens to complete their education and prepare them for the job market.
- ☆ Public education facilities should be used for recreational and other programs that can create opportunities and help reduce crime.

- ☆ Mandatory education requirements should be reviewed.
- ☆ Local experimentation in educational programs, with accountability to the state, should be encouraged.
- ☆ Business, industry, government, and educational institutions should provide effective programs and/or incentives for adult literacy in their communities.

Media Concentration

The growing centralization of media organizations, both print and electronic, has led to a decreasing emphasis on local events and history; absentee owners may have little or no identity or involvement with local communities and no sense of shared responsibility for the community. Both the practices of the media and its growing homogeneity, in turn, may contribute to an increasing inability of many citizens to identify with the community in which they reside.

This 1988 Virginia Assembly therefore recommends that:

- ☆ Individuals should be encouraged to become more active in reviewing the licenses and standards that relate to the conduct and practice of the media.

Keynote Address

Federalism's Newest Challenge: Community Rights, Responsibilities, Self-Governance

By Neal R. Peirce

I must confess to having been amused, bemused, and then—as I thought about it more—increasingly intrigued by a conference focusing on the interconnection between our Constitution and community life in America.

The connection is not one normally made. The Constitution makes nary a reference to any subnational level of government, save the state. Read the document from top to bottom, and you will not find a single reference to anything known as a city, county, township, village, whatever.

It is interesting to learn that the Anti-Federalists, in resisting a strong national government, were concerned about a trampling of the interests of 'small republics'—a term that appears to cover small pieces of territory, at the state level or less. And to learn that James Madison, his advocacy of a strong national government notwithstanding, also believed in a balance between the national, state, and smaller areas.

But the writers of the Constitution certainly did little to safeguard 'smaller republics,' no matter how you define them. Local communities were obliged to huddle under the umbrella of the 10th Amendment, a sorry piece of constitutional draftsmanship that history has proven to be the leakiest of all legal protections.

Certainly smaller communities do have a direct interest in what the national government embraces as policy. They have a direct interest in how activist the central government is in asserting its own policies,

including extensions of constitutional power that affect elements of community life, from road building to dams to low–income housing to environmental regulation. They have a direct interest, too, in the degree to which central government extends the Bill of Rights, the 14th and 15th amendments, and other elements of personal constitutional protections into the lives of communities.

Starting in the 1930s and reaching a crescendo in the 1960s and 1970s, this country saw a dramatic swing of the historic pendulum, toward national power and national dictation. We had a generation of striking accomplishments of our national government, from World War II to the civil rights and environmental victories of the late 1960s and early 1970s. Federal power, over sometimes bitterly resistant state and local governments, moved to secure every right from equal access to schools to the right to the ballot. Washington enacted social welfare measures beyond numbering. The protections of 'one man, one vote' in legislative apportionment were extended to the most local governments. Economic development, business regulation, health measures—all were advanced, directly from the center. Much of that federal achievement came at the expense of states' rights and clearly overshadowed community–based decision making. Our concept of governance and constitutional balance was altered, one must imagine forever. And most of us would say for good reason.

Yet our history shows that pendulums, having swung, most often swing back. We never go back just to 'where we were,' so to speak. But we begin to see merit and importance, in the directions we have shunned or neglected. This indeed is one of the most attractive elements of the American experience: our capacity to assimilate change, tame and control it, and then create a new synthesis in a context of peaceful change and acknowledged order.

Sometimes, when a pendulum swings back, the immediate force seems to be political. It is difficult, for example, not to give the Reagan administration major credit for forcing many programs back to the state and local level in this decade—even if you are one of those who believe, as I do, that we were ready for a return to greater local autonomy, and getting ready to move in that direction, with or without Ronald Reagan.

Then there are exterior forces: today's rise of fierce national and international economic competition, for example, in which our national government is too weakened to protect threatened states and communities, so that the states and localities see they have no choice other than to care more for themselves. And have been very busy at it, in fact.

I actually believe we have been witnessing, over the recent past, a formidable effort to reassert the competence and value of community at multiple levels, from state to metropolitan scale to individual cities and towns to their neighborhoods. And that this 'communitarianism,' if we would call it that, is an extraordinarily hopeful, and necessary, indication of how this republic can hope to cope and progress in our times.

States as Communities

Let me first address the question of the states as communities. If one read only the decisions of the U.S. Supreme Court, one might determine that the states are on a slippery slide to obscurity, fulfilling Everett McKinley Dirksen's prediction of the 1950s that the time was fast approaching when the only people concerned about state lines would be Rand McNally. In clashes between national authority and states' rights, the 'feds' seem to be the winners in the vast majority of cases. The Garcia case of a couple of years ago, virtually nullifying the 10th Amendment and telling the states their only protection is political, was a perfect case in point.

But even as their supposed 'rights' have shrunken, the states have in fact emerged as strong, vital partners in the American federalism of our times. I challenge you to look at virtually any major domestic policy-making arena today—welfare reform, the control of corporate takeover, early childhood care, education, environmental protection, land use, coping with homelessness, targeted research and development (R & D), venture capital funds, foreign trade promotion, indigent care, infrastructure repair and replacement, health cost containment. And on any one of these, just say which you believe is the more dynamic element of American government today—the federal or the state. The more you know about each area, the more likely you are to identify the state level as the one where innovation and activism is to be found now. Not in all states, of course—there are always standouts and laggards. But on a number of issues, a solid majority of the states have embarked on extraordinarily significant change in the 1980s.

How does one account for this outburst of state activism? There are lots of explanations, but I think I prefer the one offered by my friend Richard Nathan of Princeton University. He observes that when the federal government is activist and liberal, the states tend to be more conservative. And the reverse—when Washington draws back, the states

have, over our history, tended to compensate, and become more innovative. While Washington was 'playing it cool' with Coolidge in the 1920s, for example, some states were experimenting with child labor laws, unemployment insurance, and expanding social services for mothers and children, the aged and disabled—all a preview, in a way, of what the New Deal would soon be introducing from the center.

In this Reaganesque decade, the message going out from the center has unquestionably been: If you want innovation in American government, don't look to Washington. Look to your state capital. Nathan calls this "the paradox of devolution." Federal programs may actually have declined less than many people believe, he notes; "but the signal given by Reagan's devolutionary policies was that the states should do more. And they did."

Consider the issue of economic development, which has progressed from an also–ran to center stage on state agendas—and in a quite different way from the past. Back in the 1970s, states practiced ugly old smokestack chasing. Offer low taxes, low wages, take out a *Wall Street Journal* ad proclaiming what an easy hit you are, and hope some outside manufacturer will come in to exploit it all. There were more branch plants being set up in those days, and in a way it worked.

But in the late 1970s the seeds of a new era of state economic development were being planted. A critical nursery, in my view, was Massachusetts, which in the mid–1970s formulated an urban policy for its troubled cities, the idea of a proactive state government working to foster the economy of places on their backs, and to aid citizens in hard economic straits. States had traditionally been service providers—to build roads, pay welfare, and the like. This was different: state policy that focused on places and people in need. In time, with Governor Michael Dukakis's second political incarnation, that communal approach to state policy evolved into a full–scaled state industrial policy, with echoes in virtually all fifty states.

As the states struggled to fight their way out of a deep recession in the early 1980s, knowing Uncle Sam would not come to their rescue, and anxious to show some real results, they started to look at high tech instead of old tech, the self–grown, self–made economy instead of a will-of-the-wisp from far afield. They got into the sponsorship of venture capital funds, mixed public–private high–technology business centers, small business incubators, enterprise zones, more aggressive worker–training programs.

The states may not be very communal when they fight like cats and dogs over some footloose industry. But within, they have surely become far more communitarian and cooperative. Take their most important area of recent–day innovation, education. Starting with the highly publicized *A Nation at Risk* report in 1983, the case was made in state after state across the country: "Our communal economic future in this state depends on a much better–educated work force. The Japanese take education ultimately seriously, and look how they are beating the socks off us competitively." So state governments instituted a historic wave of school reforms seeking to toughen curriculums, beef up graduation standards, and strengthen teacher corps. A refreshing part of the process was the deal made with the public school establishments: essentially, accept broad–ranging reforms if you want more funding.

There have been serious weaknesses in this effort, most particularly their failure to reach many inner–city school systems. A huge agenda of continued school reform lies ahead. But it is difficult to discount the effort already made. I would agree with the remark of Bruce Babbitt, when he was still governor of Arizona, that precisely because these reforms are being forged within the states, out of consensus between educators and business leaders and the political world, they will have more staying power, more long–term significance than the federally administered education reforms that came in the wake of the Russians' Sputnik launching in the late 1950s.

A related wave of discernible state innovation, building since the mid–1980s, relates to children—a focus on the high numbers of children living in poverty, denied adequate early health care, on waiting lists for day care, becoming latchkey kids. And a concomitant concern: what does this mean for the future of our state? This has become an issue (notes Hal Hovey in *State Policy Reports*) "linking low and high income persons, business groups and labor, and liberals and conservatives." Many governors have made concern for children a unifying theme in their 1988 state-of-the-state messages and legislative programs, with day care heavily emphasized. New York's Governor Mario Cuomo, for example, has a proposal to reach such children starting at age four. Oregon's Neil Goldschmidt tells me how he is literally campaigning, community to community, to encourage local people to launch major self–help efforts to improve conditions for the children in their midst.

Metropolitan Communities

Let's shift to the metropolitan level: a logical, consistently ignored level of governance in our society. Divisiveness, the ugly standoffs of white suburbs against depressed black inner city, have prevented any effective amalgamation for years. Yet to my amazement, I am seeing a budding of cooperation, a slight but significant amelioration of those tensions. Here the new motivation is mostly economic. All metropolitan areas are finding themselves in a ferocious competition for industries, jobs, investment—competition with nearby metropolitan areas; with other states; and, if truth be told, very much with places foreign, from Ottowa to Osaka to Singapore.

But can a metropolitan house divided stand the competitive pressures? Progressive leaders, including many in business, are noting that political boundaries don't seal off problems of pollution, toxics, solid waste, transportation, schools, or inadequate infrastructure. In the new international economy, only markets with scale and diversity are likely to succeed. Advertise a suburb alone and you may be able to offer a great labor force and housing stock, but fewer educational centers, and no really significant concentrations of financial and legal services. Advertise a center city alone and you may talk of great centralized facilities, but end up exposing to your potential catch conditions of severe poverty and lack of a skilled labor force. But mix the two together and the idea is that their strengths are complementary, and one is in the ballpark of modern competition for trade and sophisticated new industries.

The Louisville metropolitan region, for example, is into a major economic collaboration to strengthen and expand existing local businesses, help regional firms break into international markets, and start a campaign to match large local manufacturers with smaller local vendors. Louisville's campaign marks the first cooperative effort that has ever encompassed not just Louisville but its surrounding Kentucky counties and three Indiana counties just across the Ohio River—an ever–widening definition of what the metropolitan community truly encompasses.

Or consider what Denver has done in the last year. Practically every chamber of commerce and economic development agency in the region, plus leading public officials, have signed onto the so–called 'Metro Denver Network.' What it amounts to is America's first regionwide, computer–linked information system to track every new business lead and all available sites, and to provide unified national advertising and a coordinated screening of industrial prospects. In its first few months, it's proving very successful.

Local Communities

We need next to ask: How goes the quest for community at the local level, in our towns and cities?

In one sense, one has to be deeply pessimistic, especially in this week as we note the 20th anniversary of Martin Luther King's assassination. Look into any of our great cities and you see, in matter of fact, two cities. The city half affluent, half poor; half working class, half professional; oftentimes half white, half black or Hispanic or Asian. In America's cities today, in incredibly close proximity, one finds glittering wealth and deep poverty, opulent residences and homeless people wandering the streets, great universities and death–threatening, drug–based gang warfare. In Philadelphia, for example, they talk of the 'schizophrenic city' on the one hand, a 'catchment basin of poverty', yet on the other hand a city that's the popular gathering place of a new, affluent managerial class, enjoying the city's wonderful revived neighborhoods. Across the world today, there are few such gaping social chasms within single communities. Speaking of our urban underclass and its separation from mainstream America, political scientist Gary Orfield suggests that impoverished Americans live in "separate and deteriorating societies, with separate economies, increasingly divergent family structures and basic institutions, and even growing linguistic separation."

Yet at another level, I can see clear advance. Take the issue of shared power in communities—a point driven home to me as I interviewed in the fifty states for my series including *The Book of America*. When John Gunther traveled the country for his *Inside U.S.A.* at the end of World War II, he could always find out who held the power in an individual city—a certain firm, a certain political boss, some famous officeholder. A bunch of the boys would sit around a table at a top–ranked men's club, no blacks and oftentimes no Jews invited, and make the gut decisions for everybody. But how the world has changed! In many places I asked who has the power here, and got blank stares in response. Now, with power so split, the problem more often is how can we overcome the vetoes everybody seems to hold, those many alligators in the swamp?

And a new form of municipal leadership is emerging. Let me, on this point, offer a quote from Henry Cisneros, the super–mayor of San Antonio. "Some cities," says Cisneros, "are going to be victims—[and indeed Cisneros' word was victims]—victims of vast changes in our society.

Others will prosper as the result of consciously made decisions ... about education, venture capital, technology, international trade." And then Cisneros adds a vital comment about style: "The successful municipal leader must now be an expert in economic development. [And in] consensus building. Few people can get things done (simply) because they say they can get things done."

Welcome, in other words, to what such books as *In Search of Excellence* told us would be our new world: consensus–based, collaborative, inclusionary kinds of processes, oftentimes in sharp contrast to the majority vote and interest group advocacy politics we're all accustomed to.

Look at the remarkable and perplexing bunch of groups and organizations that get into the decision–making process in the American city of the 1980s: Downtown development corporations. Out in the neighborhoods, community development corporations. Banks offering lowcost mortgage pools, instead of HUD–funded programs. Transportation management associations. Private industry councils. Minority purchasing bodies. Conflict resolution bodies. Special assessment districts. Foundations. The list rolls on and on, with mayors, councils, and officialdom only one part of a much larger, more complex scenario.

We seem to be into an era of what some call 'the lateralization of power,' others 'the democratization of power.' A world in which power is retained by sharing rather than going through a series of revolutions. Public–private partnerships in place of government dictation; consensus–building rather than top-to-down order giving; inclusionary rather than exclusionary strategies; collaborative rather than charismatic and heavy–handed leadership; joint ventures instead of one–sided, 100 percent publicly funded projects.

Of course there is the confusion when local government seems to be but one of many powers on the city scene. Who's then really accountable? But I see an immensely encouraging sign when multiple groups within a community start to share responsibility, and to learn through personal experience, what self–government is about.

In a perceptive article in *Harper's* of November 1986, Princeton University Professor Benjamin Barber bemoaned what he called the 'department store model' of modern politics—a model by which we're all just consumers, not true participants. We simply order and pay for the goods and services we need. We do attempt to keep the store's clerks

honest. But otherwise we leave all the policy decisions to the proprietors, who are expected to know what is good for us. In this style of politics, the critical question is simply, "What can government do for you?"

Instead, says Barber, we need a return to engaged citizenship. A model that encourages and even demands participation, saying that voting is only one of many responsibilities of the free citizen. "Democracy," he says,

> requires the strengthening not of the vertical ties between voters and their leaders but of the neglected lateral ties between citizen and citizen. For cooperation among neighbors rather than deference to experts, for mutual participation rather than passive compliance, [and] for, in other words, a vigorous participatory politics in which the public and its representatives collaborate to make self–government a genuine shared responsibility.

I have rarely heard a better definition of what healthy republican government could, and ought, to be in our time.

But we must be honest with ourselves. As promising as it appears, the new communal cooperation is flying in the face of massive trends that isolate Americans from one another, in their own communities.

Consider some of the signs. Today the average family is smaller, headed either by a single person or by two working people. Despite all our gadgetry, there seems to be a lot less disposable time than a generation or so ago. After driving home through daunting floods of traffic, there's the temptation to turn on the television, and even skip venturing out to a local movie because you can have the right video cassette in your own living room.

In traffic, we drive in our hermetically sealed private autos, usually alone, not talking with a soul, unless it's to curse the other driver. Some of us—I plead guilty—become telecommuters and rarely make it to the office at all. The economics of mass marketing of subdivisions over two generations has divided us into communities of single–income and usually single–race profiles. There seem to be far too few inviting places, events, or occasions to draw us together, as a society, in the communities where we live. This can have a pernicious effect. Voting turnouts in local elections, for example, remain disastrously low.

One of the great glories of American society, of course, is the freedom and scope it gives to the individual. There seems to be no greater value in our country than letting each person choose his or her lifestyle, to work hard to achieve in business, or sports, or whatever. No one would suggest we substitute the conformity of some of the other societies of the world.

But overemphasis on individuals creates the very real danger of eclipsing another incredibly important American value, one that Alexis de Tocqueville spoke of when he visited here in the 1830s: our love of association, our ability to work collectively and cooperatively on common goals, to create consensus, to share in what we are creating, and hope to be as a people.

John Gardner, the former HEW Secretary and founder of Common Cause, speaks of the "crazy celebration of self that one sees today," the tremendous emphasis Americans seem to place of self–realization, self–fulfillment:

> Passive allegiance is not enough. Individuals must see themselves as having a positive duty to nurture and continuously reconstruct the community of which they are a part. They must be committed to a continuous reweaving of the social fabric. ... John Winthrop, first governor of the Massachusetts Bay Colony, told his fellow colonists "... we must delight in eache other, make others condicions our own, rejoice together, mourne together, labour, suffer together, always haveing before our eyes our Community."

None of that, needless to say, can come to pass in a society plagued by social isolation. In a series of articles I did on the Phoenix area a year ago, I noted a Sunbelt culture in which people seem determined to install private swimming pools, erect high fences around their property, move from air–conditioned private car into air–conditioned private house, and rarely get to know their neighbors. Or, alternatively, move into homogeneous planned communities of people quite like themselves, surrounded by fences and protected by private security guards.

So the creation of community, under our constitutional order, even in these times when we need it so desperately, is no easy matter. Yet despairing is no answer. For in the final analysis, can we be satisfied as mere consumers, numbers on marketing charts? Are we simply an

agglomeration of a million and one individuals who care zilch for each other, rarely communicate, and have such minimal loyalty that we'll be glad to clear out of town the day some company offers a marginally better paying job elsewhere?

What does a place need to foster community in which all feel a stock? I like the definition given by the Leadership Minnesota organization a year or two ago—namely, a leadership program to:

- ☆ Develop participants' understanding of their personal power, how to encourage it in others, and how to use it in collaborative relationships.
- ☆ Promote the key standards of leadership: love, justice, and compassion.
- ☆ Have local and global focus.
- ☆ Intentionally integrate as diverse a mix as possible of institutions and people.
- ☆ Develop an informed and educated awareness of community.
- ☆ Encourage personal fulfillment through community action.
- ☆ Acknowledge and encourage the participant's inner journey.

There is not time this morning to comment on each of those principles, but I am sure you grasp their power. They are in intensely modern language. But I am sure you all recognize their deep taproot in our American heritage.

My worry in today's culture is that the legal system may use its power too often for so–called individual rights, and not often enough for the people and causes making an effort to create mutually supportive community in our times—when the Supreme Court, for example, writes such a wide description of private property rights that communities are discouraged from sound land–use planning, from protecting our irreplaceable natural wetlands, hillsides, flood plains, and coastal areas from a juggernaut of real estate development that threatens to destroy

our natural heritage and quality of life. Or when Wall Street tries to lure Congress into preemptive legislation making it impossible for state legislatures to offer some measure of legal protection for their home-grown businesses threatened by the corporate predators.

Building a Strong Civic Infrastructure

One piece of good news is that we are approaching a science, or at least a form of artful description, of just what constitutes a resilient, supportive community in our times. The homework has been done by the National Civic League (formerly the National Municipal League) in its own strategic planning over the past two years, asking: What are the factors we all have seen restraining, inhibiting, even paralyzing healthy civic life? Conversely, what factors make it possible for some communities to 'get their act together' to advance with confidence, even in this era of shrinking federal assistance and threatening national and international economic competition?

In short, what are the elements of a strong and resilient civic infrastructure to match the sound physical infrastructure we all know successful communities require?

Think about the tests and you will not be surprised.

- ☆ *Citizen Participation.* Informed, participating citizens are the first requirement of a vibrant, strong community. How well are citizens turning out for local elections? Are there energetic, effective neighborhood and civic groups? How can one encourage citizen participation that leads to consensus rather than multiple vetoes and a form of civic paralysis?

- ☆ *Community Leadership.* Government, businesses, nonprofits, and citizen groups must all be in on the leadership act. Is the community leadership results–oriented? Is it risk–taking? Do community leaders communicate and work together? Are they willing to share power, take a long–term view? Do they develop new leadership? In a crisis, do they have a forum for convening and taking action?

☆ *Government Performance.* Is the local government professional and competent? Is it open and accountable? Is it free of corruption? Does it work well with the other sectors? And in a day of revenue shortages, with economic development issues ever higher on local agendas, is it entrepreneurial?

☆ *Volunteerism and Philanthropy.* In times of shrunken public resources, communities are faced with giving more of their own time, money, and inkind services to help themselves. Is there a healthy climate for volunteerism and giving? Is there an organized corporate giving program? Is there a strong community foundation? Do local foundations exercise rigorous needs assessment and break from familiar giving patterns by contributions to promising but still fledgling new charities?

☆ *Intergroup Relations.* Does a community have programs to stimulate communication among diverse races and ethnic groups? Are minorities integrated in community–wide activities?

☆ *Civic Education.* A strong civic infrastructure requires a well–informed, competent citizenry. Are the schools teaching citizenship and civic responsibility? Are youth drawn into community activities?

☆ *Community Information Sharing.* How well is the citizenry being informed about critical issues of the city and region? Is there a spirited, forthright, honest, civically minded press—metropolitan–wide, in suburbs, or at the neighborhood level? Are radio and television communicating vital issues? Is government making information readily available? What role are civic groups, churches, schools, and universities playing in a healthy information flow?

And there is, of course, an item on the *Capacity for Cooperation and Consensus Building.* And one on *Strategic, Long–term Planning.*

My theory is that the building of the strong civic infrastructure, the foundation of those communities that function both competitively and for the broad masses of their citizens, will become an ever-more-needed

art and frontier in the times ahead. It would be difficult to think of an endeavor closer to the ideals of true republican government than advances toward citizens' enabling, empowerment, and growth in cooperative life.

What is surely beyond argument, given our deep economic divisions, our transition to an ever more racially and ethnically diverse country, is that we will need any advance toward unity and community we can find.

List of Panel Presentations

Panel 1. "How Did the Founders View the Problem of Community?"

Moderator

- ☆ TIMOTHY G. O'ROURKE, executive director, Virginia Bicentennial Commission; professor of government, Center for Public Service, University of Virginia

Panelists

- ☆ JOHN P. KAMINSKI, director, Center for the Study of the American Constitution, University of Wisconsin; coeditor, *Documentary History of the Ratification of the Constitution*
- ☆ JACK N. RAKOVE, associate professor of history, Stanford University; author of "The Great Compromise" and "Mr. Meese, Meet Mr. Madison," published in *William & Mary Quarterly* and *Atlantic*
- ☆ JOHN A. ROHR, professor of public administration, Virginia Polytechnic Institute & State University; author of *To Run a Constitution: The Legitimacy of the Administrative State*

Panel 2. "Do People Have the Right to Define Their Community?"

Moderator

- ☆ A. E. DICK HOWARD, chairman, Virginia Bicentennial Commission; professor of law, University of Virginia

Panelists

- ☆ RANDALL KENNEDY, assistant professor of law, Harvard Law School; author of "Race Relations Law and the Tradition of Celebration," published in *Columbia Law Review*
- ☆ JON KUKLA, assistant director for publications, Virginia State Library and Archives; editor and contributor, *The Bill of Rights: A Lively Heritage*
- ☆ THE HONORABLE LYDIA TAYLOR, judge, Fourth Circuit Court, Norfolk, Virginia

Panel 3. "Which Communities are Entitled to Political Representation?"

Moderator

- ☆ PAUL PURYEAR, professor of government and senior associate for public policy studies, Center for Public Service, University of Virginia

Panelists

- ☆ ABIGAIL M. THERNSTROM, senior research associate, Gordon Public Policy Center, Brandeis University; author of *Whose Votes Count? Affirmative Action and Minority Voting Rights*
- ☆ MARGARET EDDS, *Virginian-Pilot/Ledger-Star*, Norfolk, Virginia; author of *Free at Last: What Really Happened*
- ☆ THOMAS M. GUTERBOCK, associate professor of sociology, University of Virginia; author of *Machine Politics in Transition: Party and Community in Chicago*

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